

SECOND REGULAR SESSION

HOUSE BILL NO. 1851

91ST GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES CURLS, BLAND, LOWE, VAN ZANDT, CAMPBELL,
MAYS (50), MONACO (Co-sponsors), HARDING AND RIZZO.

Read 1st time February 7, 2002, and 1000 copies ordered printed.

TED WEDEL, Chief Clerk

4051L.011

AN ACT

To repeal section 99.134, RSMo, and to enact in lieu thereof one new section relating to housing authorities, with an emergency clause.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Section 99.134, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 99.134, to read as follows:

99.134. [Beginning April 1, 1991, the provisions of this section shall apply to housing authorities of any city with a population of more than three hundred fifty thousand inhabitants which is located in more than one county. The authority shall consist of seven commissioners, appointed by the mayor of the city, with the advice and consent of the city council. One commissioner shall be appointed from each city council district and the seventh commissioner shall be a tenant of any housing project owned or operated by the housing authority. The tenant commissioner shall serve for three years, but only if he remains a tenant of any housing project owned or operated by the authority. Notwithstanding the provisions of this chapter to the contrary, a new authority shall be established under this section. The commissioners of the authority in office on April 1, 1991, shall be deemed members of the new authority and shall serve the remaining portion of their terms. The new members of the authority which bring the total number of members to seven shall serve for four years. Upon the completion of the term of any commissioner, except the tenant commissioner, his replacement shall be appointed for a period of four years. The mayor shall make appointments within ninety days of the vacancy occurring. If no appointment has been made within ninety days by the mayor, the vacancy shall be filled by a majority of the city council present and voting at a regular meeting.] **1. Beginning**

EXPLANATION — Matter enclosed in bold faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.

17 on the effective date of this section, and notwithstanding any conflicting provision of
18 section 99.050, this section shall apply to housing authorities in any home rule city with
19 more than four hundred thousand inhabitants and located in more than one county, and
20 the following provisions shall govern the composition of the housing authority and the
21 selection of the members thereof.

22 2. There shall be seven members of the housing authority commission, all of whom
23 shall be residents of the jurisdiction of the housing authority. Six members shall be
24 appointed by the mayor with the advice and consent of the city council, and one member
25 shall be elected by the tenants of the housing authority. At least one of the appointed
26 members must be a resident in good standing receiving housing assistance from the federal
27 Department of Housing and Urban Development under section 8 of the United States
28 Housing Act of 1937, as amended, and who is participating in or who has successfully
29 completed a self-sufficiency program. The appointed members of the housing authority
30 commission shall be nominated by a nominating committee consisting of five members.
31 Three members of the nominating committee shall be selected by the housing authority
32 commissioners in office before the effective date of this section. The remaining two
33 members shall be disinterested persons, of which one must be a public housing resident,
34 and the other a person receiving housing assistance from the federal Department of
35 Housing and Urban Development under section 8 of the United States Housing Act of 1937,
36 as amended, and both disinterested persons shall be selected by the jurisdiction-wide
37 resident organization.

38 3. The election of the elected member of the commission shall be conducted by the
39 jurisdiction-wide resident organization and overseen by an independent third party. The
40 election shall be by written ballot, and each tenant of the housing authority eighteen years
41 of age or older shall be entitled to one vote. In addition to the qualifications required for
42 the office by sections 99.010 to 99.230, the elected member of the commission shall be a
43 tenant in good standing.

44 4. Commissioners of the housing authority required by this section to be tenants
45 of the housing authority or tenants receiving housing assistance from the federal
46 Department of Housing and Urban Development under section 8 of the United States
47 Housing Act of 1937, as amended, shall not be employed in any capacity by the housing
48 authority and shall not be construed, because of such tenancy or receipt of such housing
49 assistance, to have a direct or indirect interest in any housing authority project or in any
50 property included or planned to be included in any project, or in proposed contract for
51 materials or services within the meaning of section 99.060.

52 5. Each elected commissioner shall serve a term of four years. Of the six appointed

53 **members of the commission first appointed pursuant to this section, two shall serve a term**
54 **of one year, two shall serve a term of two years, and two shall serve a term of three years.**
55 **Thereafter all commissioners shall serve a term of office of four years. Vacancies on the**
56 **commission shall be filled for the unexpired term in the same manner as the commissioner**
57 **was originally appointed or elected.**

58 **6. The commissioners shall select from among their members a chair and a vice**
59 **chair. A quorum shall consist of at least four commissioners.**

60 **7. Each commissioner shall receive a stipend of two hundred dollars per month for**
61 **the commissioner's services to the housing authority in any capacity in addition to**
62 **reimbursement for expenses incurred for special travel or conference expenses incurred**
63 **in the discharge of the commissioner's duties. The commission shall have the power to**
64 **adjust the stipend amount annually to reflect changes in the consumer price index or other**
65 **similar prudent and objective preescalator methods.**

Section B. Because immediate action is necessary to provide a housing authority
2 commission the appropriate areas of this state, the repeal and reenactment of section A of this
3 act is deemed necessary for the immediate preservation of the public health, welfare, peace, and
4 safety, and is hereby declared to be an emergency act within the meaning of the constitution, and
5 the repeal and reenactment of section A of this act shall be in full force and effect upon its
6 passage and approval.